

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FUEL MEDICAL GROUP, LLC, a
Washington limited liability company,

Plaintiff,

v.

SONOVA USA INC., a Minnesota
corporation,

Defendant.

Case No. 3:22-cv-05934-BHS

FUEL MEDICAL GROUP, LLC'S AND
SONOVA USA INC.'S STIPULATED
MOTION TO CONSOLIDATE RELATED
CASES

NOTED FOR HEARING:
AUGUST 24, 2023

I. STIPULATION AND MOTION

Defendant, Sonova USA Inc. ("Sonova"), and Plaintiff, Fuel Medical Group, LLC ("Fuel") (collectively hereinafter the "Parties"), hereby stipulate and jointly move, pursuant to Federal Rule of Civil Procedure 42(a) and Local Rule 42 of the Western District of Washington, to consolidate Case No. 3:23-cv-05544-RJB, *Sonova USA Inc. v. Fuel Medical Group, LLC* with this Case No. 3:22-cv-05934-BHS, *Fuel Medical Group, LLC v. Sonova USA Inc.* In support of their motion, the Parties stipulate that:

1 1. Both of the referenced actions are between the same Parties.

2 2. This joint motion is made on the grounds that there are common questions of law
3 and fact in both cases, and consolidation will avoid unnecessary costs and delays.

4 3. Rule 42(a)(2) permits the Court to consolidate such actions with common questions
5 of law or fact.

6 4. Pursuant to Local Rule 42(a), this motion is properly before this Court, and a notice
7 of this motion is being filed in Case No. 3:23-cv-05544-RJB.

8 5. If the motion is granted, the actions will consolidated and continue under the above
9 captioned Case No. 3:22-cv-05934-BHS, *Fuel Medical Group, LLC v. Sonova USA Inc.*

10 WHEREFORE, Sonova and Fuel jointly move this Court to consolidate the pending
11 actions into Case No. 3:22-cv-05934-BHS, *Fuel Medical Group, LLC v. Sonova USA Inc.*

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1 SO STIPULATED this 24th day of August, 2023.

2 I certify that this motion contains 214 words, in
3 compliance with Local Civil Rules.

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5 /s/ Anna Sortun

6 Anna Sortun, WSBA No. 48674
Tonkon Torp LLP

7 Attorneys for Plaintiff Fuel Medical
8 Group LLC

9
10 /s/ Brian W. Esler

11 Brian W. Esler, WSBA No. 22168
12 Lane Conrad, WSBA No. 59287
13 Miller Nash LLP
14 605 5th Ave S, Ste 900
Seattle, 98104
Telephone: (206) 624-8300
Email: brian.esler@millernash.com
Email: lane.conrad@millernash.com

15 Ian H. Fisher, admitted *pro hac vice*
16 Paul J. Coogan, admitted *pro hac vice*
17 Taft Stettinius & Hollister LLP
18 111 East Wacker Drive, Suite 2600
Chicago, IL 60601
Telephone: (312) 527-4000
Email: ifisher@taftlaw.com
Email: pcoogan@taftlaw.com

19 Attorneys for Defendant Sonova USA Inc.

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21 **II. ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 Dated this 24th day of August, 2024.

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25 

26 BENJAMIN H. SETTLE
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 24th day of August, 2023, at Seattle, Washington.

s/ Brian W. Esler
Brian W. Esler